

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

**BARBARA MILDREN
and RAYMOND MILDREN,
Plaintiffs**

v.

**GARRETT LEE WATKINS, et al.,
Defendants**

:
:
: **No. 1:18-cv-01403**
:
: **(Judge Kane)**
:
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:
:

ORDER

AND SO, on this 11th day of September 2019, in accordance with the accompanying

Memorandum, **IT IS ORDERED THAT:**

1. Defendant United Rentals, Inc.’s¹ (“United Rentals”) Motion to Dismiss Counts VII and VIII of Plaintiffs’ Third Amended Complaint (Doc. No. 34) is **GRANTED**;
2. Counts VII and VIII of the Third Amended Complaint are **DISMISSED** as to Defendant United Rentals, and the Clerk is directed to **TERMINATE** United Rentals as a Defendant;²
3. Defendant SpringLine Excavating, LLC’s (“SpringLine”) Motion to Dismiss Plaintiffs’ Third Amended Complaint Pursuant to Federal Rule of Civil Procedure 12(b)(2) (Doc. No. 25) is **GRANTED**;
4. The claims asserted against Defendant SpringLine in the Third Amended Complaint (Counts II and III) are **DISMISSED**, and the Clerk is directed to **TERMINATE** SpringLine as a Defendant; and
5. The Court will schedule a case management conference in this matter by separate Order.

s/ Yvette Kane
Yvette Kane, District Judge
United States District Court
Middle District of Pennsylvania

¹ The Clerk is directed to change United Rentals, Inc.’s name on the docket of this matter to United Rentals (North America), Inc.

² The Clerk is also directed to terminate United Rentals as a cross-defendant in this matter.